

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.30584-M of 2007

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Date of decision:15.5.2007

Jasprit Kaur and another

.....Petitioners

v.

State of Punjab and others

.....Respondents

....

Present: Mr. Sukhjot Singh, Advocate for the petitioners.

.....

S.S. Saron, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. praying for directions to respondents No.4 and 5, who are the mother and maternal uncle respectively of petitioner No.2 not to harass, humiliate or interfere in the matrimonial life of the petitioners. Further direction is sought for directing respondent No.2 to protect the life and liberty of the petitioners from respondents No.4 and 5 by providing them security. It is stated that they are well educated. Petitioner No.1 is B.Sc. (Home Science) and M.Sc. (Food & Technology). She is working as Lecturer in Ramgarhia Girls College at Ludhiana. Petitioner No.2 is M.V. Sc. (Veterinary Surgery and Radiology) and is posted as Veterinary Service Provider at Civil Veterinary Hospital at Aloonatola, Tehsil Payal, District Ludhiana. The petitioners were known to each other for the last two years and they decided to solemnized their marriage amongst themselves. However, since the sub-caste of the mother of petitioner No.2 was the same as the sub-caste of the family of petitioner No.1, the mother (respondent No.4) of petitioner No.2 did not agree for the marriage. The petitioners tried their best to persuade the mother (respondent No.4) of petitioner No.2 but she flatly refused.

Thereafter, the petitioners solemnized their marriage on their own on 11.5.2007 at Gurdwara Sri Nirankari Darbar (Rawal Pindi), Sector 21-B, Chandigarh. The certificate of marriage issued by the aforesaid Gurdwara has been placed on record as Annexure-P.1. The photographs showing the solemnization of marriage have also been placed on record as Annexure-P.2. Both the petitioners are stated to be major. The date of birth of petitioner No.1 is 10.7.1978 and that of petitioner No.2 is 9.10.1978. Copies of the birth certificates of petitioner No.1 and petitioner No.2 have been placed on record as Annexures P.3 and P.4 respectively. Since the marriage of the petitioners is not to the liking of respondent No.4 and 5 they apprehend danger to their life and liberty and they have approached this Court seeking protection.

After hearing learned counsel for the petitioners and perusing the record it may appropriately be noticed that the petitioners have not approached respondents No.2 and 3 setting out their grievances as have been made in the present petition. The said respondents would be in a better position to ascertain the ground realities and in the facts and circumstances of the case also provide them necessary protection.

In the circumstances, the petition is disposed of with the directions that in case the petitioners approach respondents No.2 and 3 setting out their grievances as have been made in the present petition the same would be looked into by the said respondents independently and in accordance with law.

May 15, 2007.

(S.S. Saron)
Judge

hsp